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JOINT INSPECTION UNIT

Relationship between humanitarian assistance and peace-keeping operations

Note by the Secretary-General

The Secretary-General has the honour to submit to the General Assembly his comments on the report of the Joint Inspection Unit entitled "Investigation of the relationship between humanitarian assistance and peace-keeping operations" (A/50/572).

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ANNEX

Comments of the Secretary-General

I. GENERAL

1. The Secretary-General is in agreement with the general thrust of the report, which makes an important contribution to the discussion on a vital and complex topic. The ongoing efforts to enhance the cohesiveness and efficiency of humanitarian assistance in complex emergencies will be aided by this comprehensive review of the subject-matter.

II. COMMENTS ON RECOMMENDATIONS

Recommendation 1

2. The Secretary-General's Bulletin regarding the functions and organization of the Department of Humanitarian Affairs is being finalized, following the recent changes in the structure of the Department, and will be issued shortly.

Recommendation 2

3. The Secretary-General concurs with the recommendation.

Recommendation 3

4. The Secretary-General supports the recommendation and would like to note that the Policy and Analysis Division of the Department of Humanitarian Affairs is addressing some of the concerns reflected in the recommendation in its current work programme.

Recommendation 4

5. The Secretary-General shares the view that non-governmental organizations and academic institutions are important partners at both the conceptual and operational levels of humanitarian action. In that respect, it is worth noting that three consortia of non-governmental organizations are active members of the Inter-Agency Standing Committee and that the Department of Humanitarian Affairs is currently working with representatives of non-governmental organizations on the feasibility of assigning an NGO Liaison Officer to Headquarters. Equally, there is an energetic ongoing collaboration between the Department and academic institutions, including brainstorming on specific humanitarian crises, organization of conferences on issues of interest to the Department and assistance in the formulation of specific policies and guidelines.

Recommendation 5

6. The Secretary-General fully supports the concept of enhanced cooperation and greater collaboration in the sharing and analysis of information pertinent to complex crises and would like to note that the Department of Humanitarian

Affairs, the Department of Peace-keeping Operations and the Department of Political Affairs have already put in place a detailed Framework for Coordination of their activities, which covers both the planning and operational phases and also pertains to the involvement of United Nations organizations, including the United Nations Development Programme (UNDP). The views of humanitarian organizations and programmes participating in the Inter-Agency Standing Committee are also routinely solicited through consultative mechanisms. During crisis situations, special working groups, consisting of relevant agencies, are formed to discuss policy and operational questions, as was the case with Haiti. The input from these forums assists the Under-Secretary-General for Humanitarian Affairs in tackling the humanitarian aspects of peace-keeping operations. As regards the recommendation that the Inter-Agency Standing Committee report to the Security Council through the Department of Humanitarian Affairs, it should be noted that the Secretary-General rather than any particular Department is responsible for reporting to the Council.

Recommendation 6

7. The Secretary-General fully agrees with the need to enhance respect for and protection of human rights in complex emergencies. Accordingly, human rights components have been included in a number of recent peace-keeping operations and United Nations human rights missions have been established in places where no peace-keeping operation exists.

8. However, the recommendation that all peace-keeping operations undertaken by the United Nations should have a human rights component is too categorical. The inclusion of a human rights component will depend on whether it is called for in the peace agreement the United Nations is requested to support and/or the mandate assigned by the Security Council, both of which will depend in turn on the nature of the conflict.

Recommendation 7

9. The recommendation is generally consistent with action already taken by the Secretary-General. As mentioned above, the Framework for Coordination is in operation. It should be also noted that overall responsibility for coordination resides with the special representative of the Secretary-General in all complex peace-keeping operations. The special representative also maintains, as a matter of course, a functional link with the humanitarian coordinator and the Emergency Relief Coordinator, in applicable cases. It should be noted that the humanitarian coordinator is answerable both to the special representative and the Emergency Relief Coordinator.

10. The recommended information network is being implemented by the Department of Humanitarian Affairs. Known as ReliefWeb, its primary purpose is to make operational data available to all relevant actors.

Recommendation 8

11. The proposed arrangements already exist in precisely this manner, making this recommendation redundant. They are reflected in the terms of reference for humanitarian coordinators as agreed to by the Inter-Agency Standing Committee in

November 1994. The Committee also approved a desired profile for humanitarian coordinators and the creation of a stand-by roster of qualified candidates.

12. Concerning the Disaster Management Team, it should be noted that it is activated only in the case of natural disasters.

Recommendation 9

13. The Secretary-General fully supports the recommendation.

Recommendation 10

14. The Secretary-General fully supports the recommendation and would like to note that the Convention was open for signature from 15 December 1994 to 31 December 1995 and currently has 43 signatories and 8 State parties, whereas 22 instruments of accession or ratification are required for its entry into force. The Convention remains open for accession.

Recommendation 11

15. The intent of this recommendation is unclear. It is difficult to discern how, by what means and to whom the "White Helmets" could provide "deterrent" and "symbolic protective cover" when working alongside humanitarian agencies.

III. SPECIFIC COMMENTS

Impartiality and neutrality (paras. 15 and 16)

16. The Secretary-General concurs with the message and would like to stress in this connection that humanitarian assistance is not designed to resolve conflict but to save lives. Humanitarian assistance may well have an ameliorating role in that it may reduce human suffering and thus work against the type of hatred and polarization that are often generated or exacerbated by conflict. A major challenge facing humanitarian agencies recently has been the inclination to use humanitarian assistance as a substitute for action to address the root causes of conflict and to prevent the perpetuation of conflict and obviate the need for humanitarian assistance along with it. As has been frequently noted, the effectiveness of humanitarian action in conflict settings is predicated in large part on successful action by the international community to resolve the underlying problems that provoked the crisis.

Military and humanitarian tasks (para. 23)

17. The Secretary-General agrees with the general thrust of the narrative, in that peace-keeping and peace enforcement proceed from different premises and blurring the distinction between the two can be dangerous. A common lesson of the operations in Somalia and Bosnia and Herzegovina is the importance of clear mandates backed by the resources to implement them. However, the paragraph contains some confusing suggestions and generalizations about the duration of a military presence and its connection with humanitarian relief activities. These

are questions that will depend on the nature of the mandate and the particular circumstances on the ground in each case.

"White Helmets" in protection role (para. 24)

18. The Secretary-General does not support the suggestion of using "White Helmets" as unarmed guards for humanitarian relief in complex emergencies. In its resolution 49/139 B of 20 December 1994, the General Assembly supported the "White Helmets" initiative to increase volunteers for humanitarian relief, rehabilitation and development activities. If security is required, existing options can respond to the requirement.

Participation by humanitarian organizations (para. 27)

19. The established Framework for Coordination provides for the participation of humanitarian organizations, as appropriate, at the outset of the planning cycle.

The mandate of the United Nations Children's Fund (para. 33)

20. It is not clear what is meant by the extension of the mandate of UNICEF to provide assistance to "all victims of conflict". Currently, its mandate focuses on ensuring the survival, protection and development of the child without discrimination and the provision of emergency aid to children and mothers in situations of urgent need, while placing increasing emphasis on long-term programmes.

The role of the Department of Humanitarian Affairs (para. 69)

21. The Under-Secretary-General for Humanitarian Affairs is indeed well-positioned to act both as an interlocutor for humanitarian agencies and a decisive contributor to policy formulation. Armed with decisions of the Inter-Agency Standing Committee and advocating humanitarian concerns, he participates in the Secretary-General's Task Force, which makes policy decisions for the Secretary-General's advice to the Security Council, interacts closely and regularly with the Department of Political Affairs and the Department of Peace-keeping Operations and consults directly with the Secretary-General.

Coordination with humanitarian agencies (para. 70)

22. The description here does not reflect current realities. While the Inter-Agency Standing Committee has considerably strengthened overall coordination and interaction between humanitarian agencies concerning complex emergencies at the central level, it should be noted that all decisions of the Committee are quickly communicated to humanitarian coordinators in the field. Equally, humanitarian coordinators are consulted, as a matter of course, prior to the adoption of decisions at Headquarters that may impact on field operations. Further improvement of this mechanism is sought under the modalities of the Framework for Coordination.

Department of Peace-keeping Operations (para. 80)

23. It should be pointed out that the Department of Peace-keeping Operations shares responsibility for the maintenance of international peace and security with other departments and offices of the Secretariat, including the Department of Political Affairs. Moreover, the Department of Peace-keeping Operations does not have the capacity to manage peace-enforcement operations, which are normally delegated by the Security Council to multinational coalitions.

United Nations civilian police (para. 81)

24. The assertion that the United Nations has enlarged the functions of peace-keeping operations to include "police and security services" might lead to the impression that the United Nations civilian police monitors perform public security functions. It should be noted that their role is usually limited to monitoring, advising and training local police forces.

The Emergency Relief Coordinator and the resident coordinator (paras. 92-98)

25. The first part of the title of this subsection is misleading as its narrative relates to the humanitarian coordinator, rather than the Emergency Relief Coordinator. The reference to UNICEF's role in Iraq is not correct, rather, the example is of UNICEF as the lead agency for operations in northern Iraq, whose Senior Programme Officer was, at the same time, the humanitarian coordinator.

Inter-Agency Standing Committee (paras. 99-101)

26. The term "consolidated appeals", rather than "consolidating appeals" should have been used in the first sentence of paragraph 100.

27. In connection with paragraph 101, the Secretary-General concurs that lessons from complex emergencies should be learned and documented. This is a priority for the Department of Humanitarian Affairs.

Security protection to non-governmental organizations (para. 114)

28. The description is not entirely correct, as non-governmental organizations are normally included to the extent they desire within the United Nations procedures embraced by an operation's security plan, though there is no legal obligation for the United Nations to do so or vice versa. To implement the Inspector's suggestion to include all non-governmental organizations without exception in the United Nations security arrangements would require them to submit to far greater control of their operations by the United Nations than is the case at present.

Humanitarian coordination in Mozambique (para. 123)

29. Clarification is in order with regard to the urging to improve humanitarian coordination. The coordination arrangements in Mozambique, which were put in place in consultation with the agencies and donors, established technical working groups for each sector (water, food, etc.), which were chaired by the

representative of the agency with the corresponding mandate. This mechanism allowed the humanitarian coordinator to focus on emergency and related requirements that were outside the planned and approved regular programmes of the United Nations agencies.

Warning signals in Rwanda (para. 124)

30. The Secretary-General disagrees with the Inspector's conclusion that "more attention should have been given to the warning signals" and that "better use should have been made of the tools of preventive diplomacy", which is offered with the benefit of hindsight. Despite the merits of early warning signals, it appears in this particular case that the genocide was a well-planned action of which no one was aware until after it took place. Moreover, the United Nations Assistance Mission for Rwanda (UNAMIR) was established prior to the genocide primarily to help implement the Arusha Accords, not as a human rights or humanitarian assistance mission.

New bureaucratic layers (para. 125)

31. It is not clear what is inferred by the reference to the introduction by the Department of Humanitarian Affairs of new and redundant bureaucratic layers, "a risk which the Inspector was made aware of in Rwanda".